

**REMARKS****Summary of the Office Action**

Claim 23 stands rejected under 35 U.S.C. §102(b) allegedly as being anticipated by Searby et al. (US, 5,459,529).

Claims 1-4, 8, and 9 stand rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Dotsubo et al. (US, 6,556,243) in view of Searby et al.

Claim 5 stands rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Dotsubo et al. in view of Searby et al., and in further view of Simons et al. (US, 5,917,549).

Claim 10 stands rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Dotsubo et al. in view of Searby et al., and in further view of Katayama et al. (US, 5,982,951).

Claims 11-13 and 19-22 stand rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Searby et al. in view of Dotsubo et al.

Claim 16 stands rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Searby et al. in view of Ejima et al. (US, 6,259,469).

Claims 17 and 18 stand rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Searby et al. in view of Katayama et al.

Claims 6, 7, and 14 stand objected to as being dependent upon a rejected base claim, but are indicated to as being allowable if rewritten in independent form.

Summary of Response to the Office Action

Claims 1, 11, 20, and 23 are amended to further define the invention, claims 6, 7, and 14 are rewritten into independent form, and new claims 24-27 are added. Accordingly, claims 1-27 are presently pending for consideration.

Objection to claims 6, 7, and 14

Dependent claims 6, 7, and 14 are objected to as allegedly dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that dependent claims 6, 7, and 14 are rewritten in independent form, as suggested by the Examiner. Accordingly, Applicant respectfully submits that newly amended independent claims 6, 7, and 14 are in clear condition for allowance, thus respectfully requests that objection to claims 6, 7, and 14 be withdrawn.

New Claims 24-27

New claims 24-27 are added. Applicant respectfully submits that new claims 24 and 25 incorporate the allowable subject matter of claim 14 in independent claims 20 and 23, and claims 26 and 27 further define the subject matter of the present invention. Thus, Applicant respectfully requests consideration of newly added claims 24-27.

All Claims Define Allowable Subject Matter

In the Final Office Action, claim 23 stands rejected under 35 U.S.C. §102(b) allegedly as being anticipated by Searby et al. Claims 1-4, 8, and 9 stand rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Dotsubo et al. in view of Searby et al. Claim 5 stands rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Dotsubo et al. in view of Searby et al., and in further view of Simons et al. Claim 10 stands rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Dotsubo et al. in view of Searby et al., and in further view of Katayama et al., claims 11-13 and 19-22 stand rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Searby et al. in view of Dotsubo et al. Claim 16 stands rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Searby et al. in view of

Ejima et al. Claims 17 and 18 stand rejected under 35 U.S.C. §103(a) allegedly as being unpatentable over Searby et al. in view of Katayama et al. Applicant respectfully traverses these rejections at least for the following reasons.

(i) Independent claim 1

With respect to independent claim 1, as amended, Applicant respectfully asserts that Dotsubo et al. and Searby et al., whether taken singly or combined, fails to teach or suggest at least the features including displaying a reference image within the reference image area as superposed on a image being presently photographed which is not yet photographed (image which is not yet been obtained as the photographed image and is not stored in the memory); and, after the composite image is confirmed, obtaining the photographed image, attaching the second identification information indicating that the photographed image is to be composited and storing the image data in the memory, as well as, storing image data together with a first identification information indicating that the image is to be referenced for compositing and a designated area information indicating the reference image area without storing the composite image data itself.

In contrast to the Applicant's claimed invention, Dotsubo et al. teaches at col. 11, line 55 to col. 12, line 43, and as depicted in FIGS. 5, 6, 20, and 12, a digital camera adapted to composite two independent images; photographed image data, text, or template image, to create a composite image by superimposing each other as a whole. In addition, Applicant respectfully submits that Searby et al. teaches at col. 2, lines 19-24, lines 29-36, lines 43-48, and lines 57-59, and as depicted from FIGS. 1 and 2, image composition system adapted to manipulate first image (i.e., photographed image) and second image (i.e., reference image) to create composite image using an independent control image obtained from the third source. Searby et al. implements the control image to define the percentage used from one picture when compositing

two independent images. However, Applicant respectfully asserts that features recited in amended independent claims 1 are neither taught or suggested by Dotsubo et al. and Searby et al., whether taken singly or combined.

(ii) Independent claims 11, 20, and 23

With respect to independent claims 11, 20, and 23, as amended, Applicant respectfully asserts that neither Dotsubo et al. and Searby et al., whether taken singly or combined, teach or suggest at least the features including assembling on the monitor before photographing with a camera, a photographed image for display and a image to be composited including an image previously photographed and a template image or a title image registered in the memory; after the composite image for display has been confirmed, photographing the subject without storing the composite image data into the memory, and attaching to the image data of the photographed image an identification code indicating that the image is to be composited, and attaching to the image data to be composited the identification code and a designated area information, and storing in the memory the image data of the photographed image and the image data to be composited, together with the identification codes and the designated area information; upon image outputting, reading these out of the camera, and compositing the photographed image and the image to be composited. That is to say, the features are: upon photographing, displaying a low resolution reference image within the reference image area as superposed on a low resolution image being presently photographed by a camera; and after the composite image is confirmed, photographing to acquire a photographed high resolution image, and storing in the memory of the camera the high resolution image data of the photographed image to which the identification code indicating that the image is to be composited is attached, as well as, attaching to the high resolution and low resolution image data of the reference image to be composited

stored in the memory, an identification code indicating the image is to be composited and a designated area information indicating the reference image area, and storing the high resolution and low resolution image data, together with the identification code and the designated area information; and upon image outputting by the printer and the like, reading out of the memory of the camera the high resolution image data of the photographed image and its identification code indicating that the image is to be composited, high resolution and low resolution image data of the image to be referenced for compositing, identification code indicating that the image is to be composited and the designated area information, and for a low resolution image data, obtaining its high resolution image data, creating a high resolution image data of the composite image using the high resolution image data of the photographed image and the image to be referenced for compositing and their respective identification codes indicating the image is to be composited and the designated area informations, and outputting the high resolution image data, and outputting the high resolution composite image and its print using the high resolution image data.

In addition, Applicant respectfully submits that another example of the image processing method of the present invention is to conduct the above-described image processing method wherein a plurality of cameras are connected by a communication network constitute a unique group. However, Applicant respectfully asserts that features recited in the newly amended claims 11, 20, and 23 are neither taught nor suggested by Dotsubo et al. and Searby et al., whether taken singly or combined. Accordingly, Applicant respectfully submits that Dotsubo et al. and Searby et al., whether taken singly or combined, fails to teach or suggest at least the features of amended independent claims 11, 20, and 23.

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In light of the arguments presented above, Applicant respectfully submits that Dotsubo et al. and Searby et al., whether taken singly or combined, fail to teach or suggest every element of at least independent claims 1, 11, 20, and 23, then Dotsubo et al. and Searby et al. fail to anticipate at least independent claims 1, 11, 20, and 23. In addition, Applicant respectfully submits that Simons et al., Katayama et al., Muramoto et al., Ejima et al., whether taken singly or combined fail to cure the deficiencies of Dotsubo et al. and Searby et al. Thus, Applicant respectfully requests that the rejections of claims under 35 U.S.C. §§ 102(b) and 103(a) be withdrawn. Further, dependent claims 2-5, 8-10, 12, 13, 15-19, 21, and 22 are also in clear condition for allowance due, at least in part, to their dependencies to respective one of allowable base claims 1, 11, and 20.

CONCLUSION

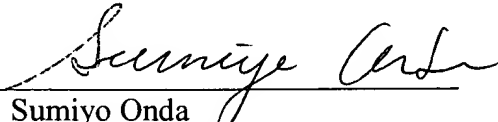
In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310.

If a fee is required for an extension of time under 37 C.R.R. § 1.136 not accounted for above,
such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

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